

SENATE BILL 3662

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 62, Chapter 6,
relative to electrical work.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 62, Chapter 6, is amended by adding
Sections 2 through 7 as new Part 6 thereto.

SECTION 2. This act shall be known and may be cited as the "Electricians' Licensing
Act".

SECTION 3.

(a) Any person employed to perform electrical work for a licensed electrical
contractor where the completed work, or of different projects under a single contract,
equals or exceeds five thousand dollars (\$5,000) shall be licensed pursuant to this part.

(b) As used in this act, "electrician" means a journeyman electrician or
journeyman lineman, whichever is applicable.

(c) As used in this act, "apprentice electrician" means an apprentice electrician or
apprentice lineman, whichever is applicable.

(d) This section shall not apply to any person acting as an apprentice in the
scope of employment as provided by Section 4 of this act.

SECTION 4.

(a) Any individual who desires a license as an apprentice electrician shall submit
an application to the board for licensing contractors, hereinafter called the "board", on
the prescribed form. The application shall be accompanied by a non-refundable
application fee set by the board and satisfactory proof that the applicant:

(1) Is at least eighteen (18) years of age; and

(2) Will be directly supervised by an electrician licensed pursuant to this act.

(b) An individual who desires a license as journeyman electrician shall submit an application on the prescribed form to the board for licensing contractors. The application shall be accompanied by a non-refundable application fee set by the board and satisfactory proof that the applicant:

(1) Is at least eighteen (18) years of age; and

(2) Has served as an apprentice electrician under the full-time supervision of a licensed, journeyman electrician for at least four (4) years; or

(3) Has completed at least two hundred (200) hours of classroom instruction in electrical-related subjects approved by the board, and has served as an apprentice electrician under the full-time supervision of a licensed journeyman electrician for at least two (2) years.

(c)

(1) The board may require such other proof, through the application or otherwise, as it shall deem desirable as to the honesty, trustworthiness, integrity, reputation, and competency of the journeyman electrician or apprentice electrician applicant.

(2) If the application for electrician is satisfactory to the board, then the applicant shall complete an examination to determine the applicant's qualifications. This examination may be written, oral or both. The board is entitled to charge each applicant an examination fee set by the board for each written, oral, or both written and oral examination.

(d)

(1) Upon successful passage of such examination and receipt of the appropriate fee set by the board a license and pocket card shall be issued to an applicant.

(2) Such licensee shall be eligible to perform electrical work while employed by a licensed contractor in any county or municipality upon exhibiting to the appropriate local officials evidence of a current license, the payment of any local licensing fees and any inspection or permit fees customarily required by any county or municipality. No county or municipality shall require such state licensee to pass any county or municipal test or examination; nor shall a county or municipality impose any additional requirements upon such state licensee, nor in any way discriminate against such state licensee on the basis of the licensee's nonresidency within the county or municipality.

(e) A license expires on the last day of the twelfth month following its issuance or renewal, and becomes invalid on such date unless renewed.

(f) Renewal notices shall be mailed ninety (90) days before the expiration date of the license. A renewal must be received in the office of the board thirty (30) days before the license expires.

(g) It is the duty of the executive director to notify by mail every person licensed pursuant to this part regarding the date of expiration of such person's license and the fee required for its renewal for one (1) year. Such notice shall be mailed in accordance with this section.

(h) The fee to be paid for the renewal of a license after its expiration date shall be set by the board.

SECTION 5. Notwithstanding the examination requirements of subdivision (c)(2) of Section 4, the board shall issue a journeyman electrician's license to any person who submits satisfactory proof to the board that, upon the effective date of this act, such person has:

- (1) Satisfactorily completed a board-approved electrician apprenticeship program;
- (2) Completed a minimum of five (5) years experience as a journeyman electrician; or
- (3) Received a license as a journeyman electrician from the county or municipality where such person conducts business.

Provided, if it is determined by the board that any person falsified the application to obtain a license under this section, such person shall be required to take the examination required pursuant to subdivision (c)(2) of Section 4.

SECTION 6. Any person who engages or offers to engage in electrical work without a license as required by Section 3 of this act, or who violates the terms and conditions of any license or renewal granted by the board pursuant to this part, commits a Class A misdemeanor.

SECTION 7. The board is authorized to promulgate necessary rules and regulations in accordance with the Uniform Administrative Procedures Act, compiled in title 4, chapter 5, to implement this act. The rules shall include the requirement of a required ratio of not more than one (1) apprentice electrician to one (1) journeyman electrician.

SECTION 8. Tennessee Code Annotated, Section 62-6-120(e)(1), is amended by deleting subdivision (A) in its entirety and by substituting instead the following:

- (A) The director of the board, acting on behalf of the board, is authorized to issue citations against persons acting in the capacity of or engaging in the business of:
 - (i) A contractor without a license in violation of § 62-6-103; or

(ii) A journeyman electrician or an apprentice electrician in violation of
Section 3 of this act.

SECTION 9. Tennessee Code Annotated, Section 62-6-120(e)(8), is amended by deleting the language “violation of § 62-6-103” and by substituting instead the language “violation of § 62-6-103 or Section 3 of this act”.

SECTION 10. Tennessee Code Annotated, Section 62-6-120(e)(9), is amended by deleting the language “a general contractor” wherever it may be found and by substituting instead the language “a general contractor or an electrician”.

SECTION 11. Nothing in this act shall be construed as prohibiting a person from also being required to be licensed as a general contractor if such person performs or offers to perform more than twenty-five thousand dollars (\$25,000) of electrical work pursuant to § 62-6-103.

SECTION 12. Tennessee Code Annotated, Title 62, Chapter 6, is amended by adding a new section thereto, as follows:

Section _____. The board shall set fees for the licensure of electricians pursuant to Section 3 of this act. The board shall set such fees in an amount sufficient to pay the cost of implementing this act.

SECTION 13. For the purpose of promulgating rules and regulations pursuant to Title 4, Chapter 5, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes this act shall take effect July 1, 2012, the public welfare requiring it.